



General Assembly

Substitute Bill No. 152

January Session, 2007

* SB00152LAB__022707__ *

**AN ACT CONCERNING ACCIDENTAL FAILURE OF WORKERS'
COMPENSATION CLAIMS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 31-294c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2007*):

4 (c) (1) Failure to provide a notice of claim under subsection (a) of
5 this section shall not bar maintenance of the proceedings if there has
6 been a hearing or a written request for a hearing or an assignment for a
7 hearing within a one-year period from the date of the accident or
8 within a three-year period from the first manifestation of a symptom of
9 the occupational disease, as the case may be, or if a voluntary
10 agreement has been submitted within the applicable period, or if
11 within the applicable period an employee has been furnished, for the
12 injury with respect to which compensation is claimed, with medical or
13 surgical care as provided in section 31-294d. No defect or inaccuracy of
14 notice of claim shall bar maintenance of proceedings unless the
15 employer shows that he was ignorant of the facts concerning the
16 personal injury and was prejudiced by the defect or inaccuracy of the
17 notice. Upon satisfactory showing of ignorance and prejudice, the
18 employer shall receive allowance to the extent of the prejudice.

19 (2) If a claim for which a notice of claim was given within the time

20 periods established in subsection (a) of this section has been dismissed
21 because of lack of jurisdiction for the reason that the wrong party was
22 named as the employer in the notice of claim, the claimant or any other
23 person entitled under chapter 568 to bring or continue such claim may
24 give a new notice of claim for the same claim at any time not later than
25 one year after the first such dismissal.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	31-294c(c)

LAB *Joint Favorable Subst.*